



1 Livingston, Referee.

2 By motion, intervenors-respondent (intervenors) request  
3 a remand of this appeal. Petitioner objects to a remand on  
4 three grounds: (1) the county has not joined in  
5 intervenors' request for a remand or agreed to address all  
6 of the allegations of error stated in the petition for  
7 review; (2) because petitioner requests reversal as a form  
8 of relief preferable to remand, simply granting a remand  
9 would not provide the full relief sought by petitioner; and  
10 (3) the request for a remand has been made to frustrate the  
11 policies favoring expeditious and thorough review of local  
12 land use decisions.

13 After petitioner's objections were filed, the county  
14 stipulated to join in intervenors' request for remand. The  
15 county represents that on remand it will address all issues  
16 raised in the petition for review. Thus petitioner's first  
17 objection has been satisfied. It provides no basis for  
18 denying intervenors' motion for remand.

19 We addressed an objection like petitioner's second  
20 objection in Mulholland v. City of Roseburg, 24 Or LUBA 240  
21 (1993), where we explained that the fact that some of a  
22 petitioner's assignments of error could provide a basis for  
23 reversing, rather than remanding, a decision does not  
24 establish that the local proceedings on remand will not be  
25 capable of providing petitioners with what they would be  
26 entitled to receive from LUBA on review. Id. at 242.

1 Petitioner's second objection provides no basis for denying  
2 intervenors' motion for remand.

3         Petitioner's third objection is based on his contention  
4 that intervenors are reluctant to make to LUBA the arguments  
5 they insisted upon making and successfully made below.  
6 While we recognize that circumstances in some cases may  
7 indicate that a request for remand is prompted by a desire  
8 for delay or some other inappropriate motive, the fact that  
9 the county and intervenors could have or should have  
10 addressed petitioner's arguments in the local proceedings  
11 does not justify an inference of bad faith. Hastings Bulb  
12 Growers, Inc. v. Curry County, 25 Or LUBA 558, 562, aff'd  
13 123 Or App 642 (1993). Petitioner's third objection  
14 provides no basis for denying intervenors' motion for  
15 remand.

16         Intervenors' motion is granted.

17         The county's decision is remanded.